

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

DOUGLAS I. HORNSBY, Administrator)
of the Estate of CYNTHIA GARY,)
)
Plaintiff,)
)
v.)
)
	Case No. 2:22-cv-427
UNITED STATES of AMERICA,)
)
Defendant/Third-Party Plaintiff,)
)
v.)
)
METRO MACHINE CORP., d/b/a)
GENERAL DYNAMICS NASSCO-NORFOLK, et al.)
)
Third-Party Defendants.)

**DEFENDANT METRO MACHINE CORP.'S MOTION FOR LEAVE FOR
REPRESENTATIVE TO ATTEND SETTLEMENT CONFERENCE REMOTELY**

Third-Party Defendant Metro Machine Corp., d/b/a General Dynamics NASSCO-Norfolk (“NASSCO-Norfolk”), by counsel, pursuant to Local Rule 83.6 and the Settlement Conference Order (ECF No. 145), hereby moves this Court for leave for its representative to attend the settlement conference remotely. In support of this Motion, NASSCO-Norfolk states as follows:

1. On April 29, 2024, the Court entered the Settlement Conference Order, setting a settlement conference for January 31, 2025, at 9:30 a.m. in Norfolk, Virginia. The Settlement Conference Order states:

Each party must bring to the settlement conference a person with full and complete authority to settle the case. The authority of persons in attendance shall include the ability to completely resolve all facets of the case without the need to seek or obtain additional authority from persons not in attendance. An insured party shall appear together with a representative of the insurer with authority to negotiate and conclude a settlement. . .

Settlement Conference Order § 3 (emphasis removed) (citations omitted).

2. The Settlement Conference Order further states “[n]o party representative or party may participate in the conference via telephone without first obtaining Court approval.” *Id.* § 4.

3. In this case, NASSCO-Norfolk is insured by Great American Insurance Group (“Great American”), which is based in Cincinnati, Ohio.

4. The Great American representative with “full and complete authority to settle this case” is Jennifer Rippy (“Ms. Rippy”), who is based out of Cincinnati.

5. Ms. Rippy is available from 9:30 a.m. to 5:30 p.m. on January 31, 2025. However, Ms. Rippy has a prior, in person commitment in Cincinnati that cannot be moved. As such, Ms. Rippy does not have sufficient time to travel between Cincinnati and Norfolk to physically attend the settlement conference.

6. Exacerbating matters, Ms. Rippy’s husband recently had surgery, and she is taking care of him while he is in recovery. Because of this obligation, major travel is difficult.

7. Given that Ms. Rippy can be available by phone or networking software, such as Zoom, Microsoft Teams, etc., and that good cause exists, NASSCO-Norfolk respectfully requests that Ms. Rippy be granted leave to appear remotely at the settlement conference.

8. To facilitate her remote appearance, Counsel respectfully requests that he be permitted to bring either a cell phone and/or laptop and charger into the courthouse on January 31, 2025.

9. Counsel for the remaining parties, Plaintiff, the United States of America, and Advanced Integrated Technologies, LLC, have consented to this Motion and these requests.

WHEREFORE, Third-Party Metro Machine Corp., d/b/a General Dynamics NASSCO-Norfolk respectfully requests that this Court grant leave for its representative to appear remotely at the settlement conference in this matter and grant such further relief as is appropriate.

Respectfully submitted,

METRO MACHINE CORP.,
D/B/A GENERAL DYNAMICS NASSCO-
NORFOLK

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CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of January 2025, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing to all counsel of record.

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